

Message Text

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44

ACTION EB-07

INFO OCT-01 EUR-12 IO-13 ISO-00 STRE-00 SSO-00 NSCE-00

USIE-00 INRE-00 AGR-05 CEA-01 CIAE-00 COME-00 DODE-00

FRB-03 H-02 INR-07 INT-05 L-03 LAB-04 NSAE-00 NSC-05

PA-01 AID-05 CIEP-01 SS-15 STR-04 ITC-01 TRSE-00

PRS-01 SP-02 FEAE-00 OMB-01 OIC-02 AF-08 ARA-06 EA-07

NEA-10 /132 W

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FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 1117

INFO USMISSION EC BRUSSELS

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EB/OT FOR BARRACLOUGH

PASS STR ELECTRICALLY

PASS AGRICULTURE

E.O. 11652: N/A

TAGS: GATT, ETRD

SUBJECT: GATT PANEL ON MIPS AND SURETY DEPOSITS

REF: GENEVA 5468

1. EC HAS TODAY GIVEN US COPY OF THEIR PROPOSED TERMS OF
REFERENCE TO SUBJECT PANEL AS FOLLOWS:

QUOTE. TO EXAMINE THE COMPLAINT OF THE UNITED STATES
DETAILED BELOW WITH RESPECT TO MINIMUM PRICES ON THE IMPORTA-
TION OF TOMATO CONCENTRATE AND THE SYSTEM OF LICENSING AND
SURETY DEPOSITS WHICH THE EUROPEAN COMMUNITY APPLIES TO THE
IMPORTS OF CERTAIN PROCESSED FRUITS AND VEGETABLES:

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--THE SYSTEM OF MINIMUM IMPORT PRICES FOR

TOMATO CONCENTRATES MAINTAINED BY THE
COMMUNITY IS NOT CONSISTENT WITH THE
OBLIGATIONS OF THE EEC UNDER THE GATT.
--THE LICENSING AND SURETY DEPOSIT SYSTEM
MAINTAINED BY THE EC IS NOT CONSISTENT
WITH THE OBLIGATIONS OF THE EEC UNDER
THE GATT.
--THE EEC SYSTEM OF MINIMUM IMPORT PRICES,
LICENSING, AND SURETY DEPOSITS NULIFY
OR IMPAIR BENEFITS ACCRUING TO THE
UNITED STATES UNDER THE GATT.
THE PANEL IN ITS EXAMINATION OF THE COMPLAINT WILL
TAKE INTO ACCOUNT ALL OF THE PERTINENT ELEMENTS, INCLUDING
THOSE RELATING TO THE ECONOMIC AND COMMERCIAL SITUATION OF
THE PROCESSED FRUITS AND VEGETABLES SECTOR. END QUOTE.

2. WASHINGTON AGENCIES WILL NOTE THAT "TOMATO CONCENTRATE"
HAS BEEN ADDED TO LIMIT THE SCOPE OF MINIMUM IMPORT PRICES;
WE ASSUME THE SIGNIFICANCE OF THIS DEPENDS UPON WHETHER
THE U.S. BELIEVES THERE ARE MINIMUM IMPORT PRICES IN
EFFECT FOR OTHER PRODUCTS. THE FINAL PARAGRAPH PROPOSED
BY EC CONCERNING ECONOMIC AND COMMERCIAL CONSIDERATIONS
IN THIS SECTOR WOULD APPEAR HARMLESS ENOUGH TO US. WE
QUESTIONED EC ABOUT PURPOSES OF INCLUDING THIS PASSAGE,
BUT THEY WERE UNABLE TO GIVE ANY. OTHERWISE, PROPOSED
EC TERMS OF REFERENCE APPEAR IDENTICAL TO U.S. PROPOSAL
AS CONTAINED IN STATE 142149 (AND GATT DOCUMENT
L/4321/ADD.1 OF 14 JUNE). DALE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FRUIT, IMPORT PRICES, TOMATOES, LICENSES, INVESTMENT GUARANTEES
Control Number: n/a
Copy: SINGLE
Draft Date: 13 JUL 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Executive Order: N/A
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Previous Handling Restrictions: n/a
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Review Date: 06 APR 2004
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Margaret P. Grafeld
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TAGS: ETRD, US, SZ, GATT, EEC
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